

Attorney Docket No. P12685

**REMARKS/ARGUMENTS****1.) Claim Amendments**

Claims 1-40 are pending in the application. The Applicants have amended claims 1, 2, 8, 17, 19-26, 29, 34, and 37. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

**2.) Claim Rejections – 35 U.S.C. § 102(b)**

In paragraphs 1-2 of the Office Action, the Examiner rejected claims 1-17, 19-31 and 33-36 under 35 U.S.C. § 102(b) as being anticipated by Holler, et al. (WO 98/28884). The Applicants have amended the claims to better distinguish the claimed invention from Holler. The Examiner's consideration of the amended claims is respectfully requested.

Holler discloses a networking system that has been fully migrated from STM switching to ATM switching. Calls originating in an STM narrowband network are routed over an ATM broadband network, and no STM switching is required. (See Abstract). Holler states, "This object and others are obtained by using ATM as the switching mechanism and at the same time providing all existing value added telephony services to an ATM based network." (Page 3, lines 9-11). "All traffic is then directed directly to the output port from the incoming port through the ATM network." (Page 3, lines 23-24). All of the text and figures in Holler illustrate how the switch emulators and broadband terminals function to perform the interworking so that narrowband calls can enter and exit the ATM network at the proper points.

Regarding Holler, the Examiner states, "As can be seen in Figure 2, the logical node represented by narrowband component (213) and broadband component (217) may receive and forward communications in either a narrowband format or broadband format to another logical node, represented by (215) and (219). However, the arrows between the components of the narrowband network are labeled "Call Control". This indicates call control *signaling* required for call control and value added services, not *traffic switching*. As noted above, Holler expressly states that all switching is performed in the ATM network.

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The claimed invention, on the other hand, is an intermediate arrangement that enables a network operator to continue to perform STM switching for STM traffic while also performing ATM switching for traffic destined to nodes that are ATM capable. The narrowband component includes the switching intelligence to determine whether to route a call utilizing narrowband communications or utilizing broadband communications. Thus, a network can be migrated from pure STM switching toward ATM switching using the Applicants' intermediate arrangement.

In particular, amended claim 1 recites an arrangement for combining narrowband and broadband transport mechanisms in a communications network. The arrangement comprises a narrowband component that includes switching intelligence and narrowband switching fabric; and a broadband component in communication with the narrowband component. The broadband component includes broadband switching fabric. When a first communication, destined for a node that has only narrowband capabilities, is received in the narrowband component, the switching intelligence in the narrowband component utilizes the narrowband switching fabric to route the communication to the narrowband destination node. When a second communication, destined for a node that has broadband capabilities, is received in the narrowband component, the switching intelligence in the narrowband component utilizes the broadband switching fabric in the broadband component to route the communication to the broadband destination node.

Holler, which is co-owned by the Applicant, does not teach or suggest an arrangement in which the narrowband component includes switching intelligence for selectively routing a communication through either the narrowband switching fabric or the broadband switching fabric. Therefore, the withdrawal of the rejection and the allowance of amended claim 1 are respectfully requested.

Claims 2-7 depend from amended claim 1 and recite further limitations in combination with the novel elements of claim 1. Therefore, the allowance of claims 2-7 is respectfully requested.

Independent claim 8 has been amended to recite a system for combining narrowband applications with broadband transport in a communications network. The system comprises a first logical node that includes a first circuit-based switch and a first

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packet-based switch, wherein the first circuit-based switch has access to call control logic; and a second logical node connected to the first logical node. The second logical node includes a second circuit-based switch and a second packet-based switch. The first logical node is adapted to route communications between the first circuit-based switch and the first packet-based switch, and between the first circuit-based switch and the second circuit-based switch in the second logical node. The second logical node is adapted to route communications between the second circuit-based switch and the second packet-based switch. Thus, the call control logic may selectively propagate a given communication on a broadband transport mechanism or a narrowband transport mechanism between the first logical node and the second logical node.

Holler does not teach or suggest an arrangement in which call control logic, accessible by the circuit-based switch, selectively propagates a given communication on a broadband transport mechanism or a narrowband transport mechanism between the first logical node and the second logical node. Therefore, the withdrawal of the rejection and the allowance of amended claim 8 are respectfully requested.

Claims 9-16 depend from amended claim 8 and recite further limitations in combination with the novel elements of claim 8. Therefore, the allowance of claims 9-16 is respectfully requested.

Independent claim 17 has been amended to recite a method for enabling a migration of a narrowband network to a broadband transport mechanism. The method includes the steps of connecting a first control node having call control functionality and connection control functionality to a second control node having only connection control functionality; receiving, at the first control node, a first communication in a first format; and forwarding, from the first control node to a first destination node, the first communication in the first format. The method also includes the steps of receiving, at the first control node, a second communication in the first format; routing, by the first control node, the second communication to the second control node; and forwarding, from the second control node to a second destination node, the second communication in a second format.

Holler does not teach or suggest a method in which call control functionality in a first control node selectively routes calls in a first format to either a first destination node

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or a second control node. Therefore, the withdrawal of the rejection and the allowance of amended claim 17 are respectfully requested.

Claims 18-22 depend from amended claim 17 and recite further limitations in combination with the novel elements of claim 17. Therefore, the allowance of claims 18-22 is respectfully requested.

Independent claim 23 has been amended to recite a method for enabling a migration of a narrowband network to a broadband transport mechanism. The method includes the steps of receiving, at a narrowband control node having call control functionality and connection control functionality, a first communication in a first format; and forwarding, from the narrowband control node to a narrowband destination node, the first communication in the first format. The method also includes receiving, at a broadband control node having connection control functionality, a second communication in a second format; routing, by the broadband control node, the second communication to the narrowband control node; and forwarding, from the narrowband control node, the second communication in the first format.

Holler does not teach or suggest a method in which call control functions are performed by the narrowband control node while the broadband control node routes the calls as instructed. As noted above, Holler teaches a solution in which no STM switching is required. Therefore, the withdrawal of the rejection and the allowance of amended claim 23 are respectfully requested.

Claim 24 depends from amended claim 23 and recites further limitations in combination with the novel elements of claim 23. Therefore, the allowance of claim 24 is respectfully requested.

Independent claim 25 has been amended to recite a method for enabling a gradual migration from a primarily narrowband network to a primarily broadband network. The method includes the steps of receiving a communication having an identifier that corresponds to a destination terminal of the communication; analyzing the identifier that corresponds to the destination terminal of the communication; and determining whether the identifier is associated with a network node having broadband capability. If the identifier is associated with a network node having broadband capability, the communication is forwarded over a broadband transport mechanism.

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Holler does not teach or suggest a method in which a call is selectively routed over either a narrowband or a broadband transport mechanism, depending on whether a destination identifier is associated with a network node having broadband capability. Therefore, the withdrawal of the rejection and the allowance of amended claim 25 are respectfully requested.

Claims 26-33 depend from amended claim 25 and recite further limitations in combination with the novel elements of claim 25. Therefore, the allowance of claims 26-33 is respectfully requested.

Independent claim 34 has been amended to recite an arrangement for combining narrowband and broadband transport mechanisms in a communications network. The arrangement includes means for providing switching intelligence; means for providing narrowband switching having operative access to the means for providing switching intelligence; and means for providing broadband switching connected to the means for providing narrowband switching. The arrangement also includes means for forwarding an incoming narrowband communication as an outgoing narrowband communication utilizing the means for providing narrowband switching, upon determining that the destination for the narrowband communication is capable only of narrowband communications; and means for converting and forwarding an incoming narrowband communication as an outgoing broadband communication utilizing the means for providing narrowband switching and the means for providing broadband switching, upon determining that the destination for the narrowband communication is capable of broadband communications.

Holler does not teach or suggest a method in which a call is selectively routed as either a narrowband or a broadband communication, depending on whether the destination is capable of broadband communications. Therefore, the withdrawal of the rejection and the allowance of amended claim 34 are respectfully requested.

Claims 35-36 depend from amended claim 34 and recite further limitations in combination with the novel elements of claim 34. Therefore, the allowance of claims 35-36 is respectfully requested.

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**3.) Claim Rejections – 35 U.S.C. § 103(a)**

In paragraphs 3-4 of the Office Action, the Examiner rejected claims 37-40 under 35 U.S.C. § 103(a) as being unpatentable over Holler in view of Allen, Jr., et al. (US 2001/0017861). The Applicants have amended the claims to better distinguish the claimed invention from Holler and Allen. The Examiner's consideration of the amended claims is respectfully requested.

Independent claim 37 has been amended to recite a method for combining narrowband applications with broadband transport in a communications network. The method includes the steps of terminating a time division multiplexed (TDM) inbound side of a first communication at a circuit switch, and if the destination for the first communication has only TDM communications capability, switching the first communication by the circuit switch; and terminating a TDM outbound side of the first communication at the circuit switch. The method also includes terminating a TDM inbound side of a second communication at the circuit switch; switching the second communication by the circuit switch; and if the destination for the second communication has asynchronous transfer mode (ATM) communications capability, switching the second communication by a packet switch connected to the circuit switch; and terminating an ATM outbound side of the second communication at the packet switch.

Neither Holler nor Allen teach or suggest a method in which a call is selectively routed as either a TDM or an ATM communication, depending on whether the destination is capable of ATM communications. Therefore, the withdrawal of the rejection and the allowance of amended claim 37 are respectfully requested.

Claims 38-40 depend from amended claim 37 and recite further limitations in combination with the novel elements of claim 37. Therefore, the allowance of claims 38-40 is respectfully requested.

In paragraph 5 of the Office Action, the Examiner rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Holler and further in view of Allen. However, claim 18 depends from amended claim 17, and is allowable for the reasons discussed above for claim 17. Therefore, the allowance of claim 18 is respectfully requested.

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In paragraph 6 of the Office Action, the Examiner rejected claim 32 under 35 U.S.C. § 103(a) as being unpatentable over Holler. However, claim 32 depends from amended claim 25, and is allowable for the reasons discussed above for claim 25. Therefore, the allowance of claim 32 is respectfully requested.

**4.) Prior Art Not Relied Upon**

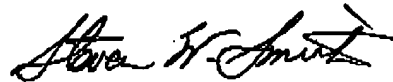
In paragraph 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicants' disclosure. However, Applicants' reading of these references does not reveal any teaching or suggestion of the Applicants' claimed invention.

**CONCLUSION**

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-40.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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